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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
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11 EUGENE GENCHEV,

12 Plaintiff,

13 v.

14 DETROIT DIESEL
15 CORPORATION,

16 Defendant.

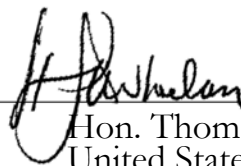
CASE No: 08-CV-1021 W (NLS)

**ORDER DENYING JOINT
MOTION FOR CASE
REASSIGNMENT [DOC. NO. 8]**

17 Pending before the Court is the parties' joint motion for case reassignment to the
18 Honorable Janis L. Sammartino. The basis for the motion is because this case is related
19 to Genchev v. Freightliner, 05cv2071, which Judge Sammartino presided over. However,
20 reassignment on the basis of a related case is limited to pending cases. See L.Civ.Rule 40.1
21 Because Case No. 05cv2071 was dismissed on April 11, 2008, the Court must **DENY** the
22 motion (Doc. No. 8).

23 **IT IS SO ORDERED.**
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25 DATED: June 23, 2008
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28 Hon. Thomas J. Whelan
United States District Judge

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